

M E M O R A N D U M

**To:** Mary Mendoza, Cluster Manager  
Modesto Workforce Service Site 06200

**Date:** July 30, 2010

**File No.:** 74:em:1424

**From:** Ernesto Magaña  
Employment Development Department

**Subject:** **MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW  
PROGRAM YEAR 2009-2010  
MODESTO WORKFORCE SERVICE SITE  
FINAL MONITORING REPORT**

This Final Monitoring Report summarizes the California Monitor Advocate Office's (MAO) results of the Migrant and Seasonal Farmworkers (MSFW) on-site annual review of the Modesto Workforce Service (WS) site. Francisco Macias conducted this annual review from June 14 through June 16, 2010. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFW.

The MAO conducted this annual on-site review under the authority of all related federal regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and the Employment Development Department (EDD) Job Service (JS) policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of EDD services provided to MSFW.

We collected information for this report by examining the Modesto WS site's provision of services, job information sharing, job application taking process, outreach program operation, data collection, agricultural clearance order activity, and JS complaint system. Additionally, we interviewed Modesto WS site's management and staff.

We did not receive a response to our Draft Report. Therefore, we are issuing the Draft Report as the Final Report.

Our on-site annual monitoring review revealed the following finding:

**Finding 1:**

The Workforce Services Branch's Agricultural Services Plan for Program Year (PY) 2008-09 allocates 1.0 Personnel Equivalents divided between the Modesto cluster (Modesto, Turlock, Los Banos, and Merced WS sites) to conduct MSFW outreach activities. Modesto WS site's management confirmed that the Modesto cluster shared the combined allocation for PY 2009-10, equal to 1,722 hours, for MSFW outreach activities.

The Modesto and Turlock WS sites share 792 hours of the total allocated MSFW budget.

During the pre-site analysis, we noted that the Modesto and Turlock WS sites used 556 hours for MSFW outreach activities between July 2009 and May 2010 and is currently under spent by 170 hours of the total MSFW outreach budget for PY 2009-10 through May 2010.

This same issue was documented in the final report during PY 2008-09 on-site annual review and discussed with local management. As a result, we requested that the Modesto and Turlock WS sites submit a Corrective Action Plan (CAP) stating what actions will be taken to address this finding.

**Citation:** 20 CFR 653.107 and 653.108 (h) (5) and Agricultural Services Plan PY 2008-09

**Recommendation:** The MAO recommended that the Modesto WS site provide sufficient MSFW outreach activity by completely using the resources allocated for that purpose.

**Response:** There was no response to the Draft Report.

**Discussion:** Local management has the discretion of not responding to the MAO Draft Reports. However, because this is a repeat finding, we request that a CAP be submitted to the MAO stating the actions that the Modesto WS site will take to prevent this finding from occurring in the future.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact me at (916) 651-9456.

Sincerely,



ERNESTO MAGAÑA, Chief  
Monitor Advocate Office

cc: Diane Ferrari  
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